UNITED NATIONS **E**

Economic and Social Council

Distr.
GENERAL

E/C.12/2001/SR.17
8 May 2001

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Twenty-fifth session

SUMMARY RECORD OF THE 17th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 3 May 2001, at 10 a.m.

Chairperson: Ms. BONOAN-DANDAN

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GE.01-41791 (E)

The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (continued)

Initial report of Bolivia (E/1990/5/Add.44; E/C.12/Q/BOL/1; HR/CESCR/2001/1; HRI/CORE/1/Add.54/Rev.1) (continued)

1. At the invitation of the Chairperson, the members of the delegation of Bolivia resumed their places at the Committee table.

2. The CHAIRPERSON invited the delegation of Bolivia to continue replying to Committee members' questions.

3. Mr. SERRATE (Bolivia), responding to questions concerning "criaditos" (indigenous children placed in well-off families), said that the tradition was a bad one but was gradually disappearing. Great strides had been made in the defence of children at the municipal level, for example, and that had led to a decrease of around 20 per cent in the practice. It amounted basically to abandonment of the children by their families, not into the street but into another home, and the State had an inescapable responsibility to ensure that they were taken care of. However, international cooperation would be essential in implementing the programmes that would be needed to solve the problem.

4. With regard to child labour in general, children aged between 7 and 14 who were economically active accounted for 19.5 per cent of the total population. Of those, 7.2 per cent were 7 to 9-year-olds in rural areas where there was little mechanization. They were a source of cheap labour for their parents and were engaged in mainly agricultural work. In urban areas, 1.6 per cent of children aged seven to nine were economically active. The percentage of children who did not attend school was not the same as the percentage who worked, since many of them both worked and attended school.

5. Bolivia was taking a serious approach to the protection of children, partly through legislation such as the Children and Adolescent Code, partly through institutional means such as the establishment of independent children's courts and of reception centres for children with specific short-term problems.

6. With regard to domestic servants, a national association of domestic workers was working with the Constitutional Commission to draft a law on domestic labour. At present such workers were not protected and the Government was committed to enacting legislation in that area. They had the right to paid leave, but their working hours and social security coverage needed regulating. Bolivia was also looking into the possibility of giving economic recognition to the work of housewives, who often also had the status of mere domestic workers and were at risk of exploitation, with no social security or insurance coverage.

7. With regard to coca cultivation, there had been a spectacular decrease in production and the elimination and substitution programme had made great inroads into cocaine exports. Bolivia was taking action, not simply in order to obtain certification, but because it was unable, for all the country's poverty, to countenance the continuation of criminal activities. The 60,000 hectares of coca plantations cleared in Chapare province had been destined not for traditional use, but for cocaine production. That was an illicit economic activity, which in its heyday in the 1990s had been conducted by a strategic alliance of trade unions and coca producers. An alternative development programme had been put in place in the province to replace it with other economic activities. However, complete income substitution was impossible, since alternative crops such as potatoes or bananas could never fetch the same prices as coca. Such activities needed to be complemented by others, such as tourism, but what was equally important was for foreign markets to open up to those who were cultivating alternative crops. In addition, international help and support was needed for alternative economic development, particularly in the form of resources to build up the infrastructure.

8. Excesses could be committed in the course of trying to eradicate coca cultivation, and the Ministry of Justice had established an office in Chapare in an attempt to restore a balance in the fight against drug trafficking. Training in the appropriate use of force was now being offered to police and security forces. In Sud Yungas province, 10,000 of the 12,000 hectares of coca plantations were destined for traditional use. The peasant families cultivating the remaining 2,000 hectares had agreed just the day before to switch voluntarily to alternative production.

9. With regard to birth control, the State had no policy of forcing women to practise it. Indeed, the country's population was too small and planned immigration was probably necessary. Under programmes to promote reproductive health and comprehensive health care for women, sex education was provided to help mothers plan their families using various methods of contraception, although implementation of those programmes was hampered by lack of resources. Prenatal and post-natal care was provided free of charge as part of the maternity and child benefits scheme and included the provision of contraceptives and training in family planning.

10. Abortion had long been legal in Bolivia for women who became pregnant as a result of rape. The current debate was now about the right to abortion on demand. The policy of the Vice-Ministry of Gender, Age-related and Family Affairs was to ensure that the issue was explored with openness of mind, particularly as Bolivia's was a rather traditional society where the Catholic Church still wielded great influence.

11. With regard to protection of the environment, the National Institute of Agrarian Reform (INRA) Act aimed at striking a balance between the exploitation of land and sustainable development. There had been delays in implementing both the INRA and forestry legislation, partly because of the cost of surveying for the purposes of legalization of land title. It was not possible to adopt a blanket approach, since there were so many different forms of land use in Bolivia. In addition, lack of resources hampered the implementation of legislation. Bolivia was trying to develop its national parks and to encourage eco-tourism, as a means of preserving its natural wealth. Forestry legislation had been adopted as a means of investing in the future and

preserving Bolivia's natural resources. Although the aim had not been to prevent logging, since that was an important source of income, one effect of the legislation had been a 70 per cent reduction in that activity.

12. With regard to accidents at work, the existing law was out of date and needed reform in order to take account of new technologies and the rise of the oil and chemical industries, and the new hazards they presented in the workplace. The Ministry of Labour and Micro-enterprises had recently drafted new regulations that would be studied by the labour inspectorate and would subsequently be the subject of collective negotiation between trade unions and employers.

13. Lastly, he said that legislation would be enacted in the following weeks to institutionalize dialogue between civil society and Government in Bolivia in order to develop not just representative democracy, but truly inclusive democracy, and to give all citizens the chance to participate in deciding the destiny of the country. In particular, efforts to combat poverty would be decentralized through the process of "municipalization". Changes to the Constitution would institutionalize the Office of the Ombudsman and the permanent Human Rights Assembly, reform the representational system, reinforce the Constitutional Court and give international instruments constitutional rank.

14. Mr. TEXIER, speaking on a point of order, said Bolivia did not appear to take its obligations under the Covenants seriously: none of his questions had been answered, yet members of the Bolivian delegation were leaving to attend a meeting of the Committee against Torture.

15. Mr. SADI, welcoming the delegation's reassuring words regarding the criaditos, said he would nevertheless appreciate updated information on the new legislation. He was particularly concerned to hear that the children were "given away" and wanted to know by whom. Regarding coca growing, he suggested that an international fund might be established to assist countries like Bolivia with crop substitution. Similarly, an international fund could help countries enforce action to preserve their forests.

16. Mr. PILLAY, endorsing the views expressed by Mr. Texier, questioned the value of asking specific questions to which no replies were given.

17. Mr. AHMED, supported by Mr. SADI, thought the Committee should continue its discussion and reflect its dissatisfaction with the delegation's lack of response in the concluding observations.

18. The CHAIRPERSON shared the frustration expressed by members of the Committee. She suggested that, notwithstanding the difficult and unprecedented situation in which the Committee now found itself, members should focus on the report and continue with their questions and discussions. The concluding observations were the proper place in which to give vent to their dissatisfaction. Meanwhile, members of the Committee might wish to put questions on items 27 to 42 of the list of issues.

19. Ms. BALLIVIAN DE ROMERO (Bolivia) explained that her Government had made a tremendous effort to send two persons from Bolivia to attend the session as a demonstration of its interest in the Committee's work. It was unfortunate that the session of the Committee against Torture, which the head of delegation was also required to attend, was taking place simultaneously. Bolivia was, however, willing to submit written replies to the Committee's questions at the earliest possible opportunity.

20. Mr. RIEDEL said that the Committee, when considering its concluding observations, would have to decide whether written replies only - a departure from the Committee's usual practice - would be sufficient and whether a further meeting should take place at a much earlier date than would normally be required. A constructive dialogue was imperative.

21. Mr. WIMER-ZAMBRANO agreed. Coming back to the question of the criaditos, he asked what their legal status was and whether they were protected by the law. What was the Government's policy in that regard? Was the practice consistent with the Covenant?

22. Mr. TEXIER noted that the Committee had not received satisfactory replies, or indeed any reply at all, to its questions of the previous day concerning discrimination against indigenous peoples and their true role in the Bolivian system, government policy on unemployment, the minimum wage and the International Labour Organization observations on restrictions on trade union rights and the right to strike.

23. Referring to items 28 and 29 of the list of issues, he requested information on the state of implementation of the National Institute on Agrarian Reform Act and inquired whether the lengthy and complex process of establishing title to 54 million hectares of land had begun. With regard to item 30 of the list of issues, he asked to what extent the homeless and people living in sub-standard accommodation were consulted in the formulation of housing programmes and whether, as advocated by Habitat for Humanity International, they were offered the option of building or improving homes themselves with State aid, which usually made for better housing at lower cost.

24. Mr. PILLAY drew attention to statistics given in the UNDP country brief on Bolivia and in the Pan American Health Organization (PAHO) report Health in the Americas which painted a grim picture of serious and widespread poverty affecting the enjoyment of the economic, social and cultural rights of large sections of the population. Was the Government aware that it had core obligations to ensure the satisfaction, to, at least, minimum essential levels, of each of the rights recognized in the Covenant? Were those core obligations taken into account in the formulation of the country's poverty reduction plans?

25. The housing situation was also grim. The report (E/1990/5/Add.44) stated, in paragraph 350, that evictions of families and individuals from their housing usually occurred only sporadically. That surely was a gross understatement given the acute housing problems, the absence of title to property and documented cases of eviction such as those in the FIAN International report on the right to adequate food in Bolivia. As no information had been provided by Bolivia on such matters, he wondered whether the delegation was aware of the

Committee's general comment on forced evictions and the guidelines contained therein. What were the authorities doing, particularly the Ombudsman, in the face of forced evictions, mostly of peasants and indigenous people, which constituted gross violations of human rights?

26. Mr. CEAUSU wanted to know exactly how the Government proposed to improve the quality, equity and coverage of education, especially access for the children of poor families. He would appreciate figures on, for example, the construction of new schools in rural areas and training of teachers, especially teachers from indigenous groups who might return to their local community. He asked why the rate of attendance remained so low and suggested as one possible reason that jobs could be obtained with few basic skills so that there was little incentive to attend or stay at school. Hence, literacy campaigns should be broadened to create incentives. He would also appreciate some figures indicating the scale of the problem of communities still without free education. How many such communities were there? Were they indigenous, non-Spanish speaking communities? The report was silent on the situation of teachers, their salary levels compared with the minimum wage, and shortages in rural areas.

27. Regarding article 15 of the Covenant, he would appreciate more details on the infrastructure that gave the population access to culture, such as theatres, public libraries, orchestras and museums. Further, what action had the Government already taken on protection of the biosphere?

28. Lastly, noting that the authorities had enacted a substantial amount of legislation, he observed that in Bolivia, as elsewhere, politicians exhibited a sort of legislative fetishism. Laws were not an end in themselves but required concrete programmes and action if they were to be enforced. In connection with the law aimed at developing the dialogue with civil society, he asked whether Bolivia had any regional municipal councils elected by popular vote. Representation at local and regional level on democratic principles was essential to enable civil society to put forward its views and wishes.

29. Mr. THAPALIA, referring to the Economist Intelligence Unit Country Profile for 1999-2000, said that Bolivia was one of the least developed countries in Latin America and one of the poorest in terms of GDP. Even that statement did not indicate the real level of poverty affecting large numbers of the population. In rural areas extreme poverty was prevalent among the mainly indigenous populations. Basic sanitation and drinking water were practically non-existent. Likewise, as stated in paragraphs 277 and 278 of the report, low food consumption and low expenditure on food were a problem among low income groups, surveys of actual consumption in various areas of the country showing per capita daily intakes of 1,300 kilocalories or less. Low rates of first class protein consumption were to be found, especially on the fringes of towns and in rural areas.

30. In that context, it was important to ascertain whether the Bolivian Government and donor community had begun the process of developing a comprehensive poverty reduction strategy. The main purpose of that strategy would be to alleviate poverty and reduce segregation and social and political exclusion. A poverty reduction strategy and associated plan of action were

supposed to have been adopted in 2000. What were the results of those measures and what funds had been allocated to them? What was the main target of the poverty reduction strategy in relation to the different levels of the population? Which of the disadvantaged groups would benefit most from the strategy?

31. The main cause of poverty, be it a shortage of food, lack of access to food or deprivation, should be made known so as to clarify the determining factors in vulnerability to poverty. If Bolivia was to alleviate poverty, the requisite political will and commitment were essential in order to change the social and economic situation.

32. Mr. RIEDEL, referring to article 12 of the Covenant and to paragraphs 373 to 375 of the report, noted that the need for psychiatric care was clearly increasing as the State party was evidently aware. In that regard, the relationship between in-patient and out-patient treatment should be clarified and details provided of any monitoring provisions in existence. It was important to know which authority took decisions in case of dispute and disaggregated data should be provided in the next country report.

33. In regard to paragraphs 380 f. of the report, the efforts of the State party to implement the Almaty Declaration were laudable in that the Three-Year Health Plan had been launched. What were the results of that plan to date? In general terms, the Committee was more interested in knowing the results of legal provisions made rather than in the actual adoption of legislation and plans of action. Similarly, information should be provided on the issues of decentralization, social management and infant and maternal health. What exactly had been achieved? In many other countries, especially developing countries, decentralization had, despite its desirable end result, caused considerable upheaval and led to a decrease in health coverage. The delegation should comment on its experiences in that regard.

34. From paragraphs 387 and 388 of the report it was clear that an improvement had been made in levels of access to potable drinking water. The figure had risen from 58 per cent of households in 1992 to 76 per cent in 1997. However, disaggregated data showed that only 32 per cent of the rural population had access to safe drinking water. In that connection, statements to the effect that measures were being implemented or prepared were not a great deal of help in trying to assess the situation. More specific answers should be given regarding Bolivia's fulfilment of its Covenant obligations. The Committee's General Comment 14 should therefore be consulted.

35. The national Social Security Code provided that access to medical care and necessary medicaments should be universal. In practice, however, that principle had never been implemented. For every six members of the population, only the one active contributor and his or her family members had access to social security benefits. What had the authorities done to improve the situation? It had also been stated that 20 per cent of municipalities had no qualified health personnel. Had measures been taken to deal with the matter and, if results had not been achieved, what were the reasons? Similarly, any measures taken to address the situation in which 28 per cent of children under the age of three suffered from chronic malnutrition should be described.

36. On the subject of HIV/AIDS, the PAHO 1998 report on Health in the Americas indicated that the incidence of HIV/AIDS had increased rapidly in eight out of nine departments in Bolivia. Only 126 cases had been reported in 1996; how had the situation changed in the meantime? In many countries, the spread of the infection had been influenced by a higher rate among females, a trend which had serious long-term effects. Had Bolivia introduced any sex education or anti-AIDS campaigns to try to combat the problem?

37. Mr. WIMER-ZAMBRANO said that, although it was clear that bilingual education existed for indigenous people in Bolivia, it was not certain what the current direction of national linguistic policy was, either with a view to preserving different languages or in terms of respect for the human rights of indigenous populations. What was the framework for the national policy? Concerning article 15 of the Covenant, many places in Bolivia were far from large cities and he would like to know whether they had any television coverage.

38. Mr. MARCHAN-ROMERO, noting that paragraph 471 of the report referred to the existence of a provision for overseeing film production and other related cultural activities, asked whether there was any form of Government censorship of such activities.

39. Apparently a dialogue had been initiated by means of a specific law in the search for a consensus on the inclusion of marginalized populations in the national policy on economic, social and cultural rights. How had the initiative been extended to indigenous populations in practical terms? Again, reference had been made to the decentralization of Government policies and to the increasing importance of municipalities. Was the decentralization mechanism put in place supported by the requisite financial resources? Was there greater autonomy in terms of responsibilities?

40. On paragraph 485 of the report, relating to Government policy on the rights of authors, the delegation should make clear its position on the recognition of rights in relation to the enormous cultural wealth and diversity of indigenous communities, for example in terms of biodiversity. Did a mechanism exist to protect the wealth of knowledge that indigenous populations possessed?

41. Ms. BARAHONA-RIERA asked what kind of punishments were inflicted on those responsible for the sexual exploitation of children. Secondly, almost all illiteracy was among adult women, especially in rural areas. What specific programmes had been drawn up to reduce it? She also wondered how the many illiterate women might be able to report instances of sexual abuse, since they were unable to write. Thirdly, the report referred to lack of coordination between the local and departmental levels in the health system. Had Bolivia taken any steps to improve the coordination mechanism?

42. Ms. BALLIVIAN DE ROMERO (Bolivia) said that her country's report had many defects but that it demonstrated Bolivia's interest in the work of the Committee. On the subject of agrarian reform and rural land titles, a major reform had been introduced in 1953. Although in some cases no titles had been granted, in no case had owners been in danger of losing their physical ownership of land. There was sometimes a problem in higher regions where one peasant came to own a large quantity of land because other farmers had moved to urban

areas, but was unable to farm the whole area owing to a lack of mechanization. In the east of the country some land had been confiscated, although efforts were being made to resolve the problem.

43. On the subject of poverty, the Popular Participation Act, enacted five years previously, had led to the distribution of State resources to different sectors of the population. At municipal level, mayors and council members were democratically elected and funds distributed to each of the 314 municipalities in accordance with their needs. Funding had been granted by the World Bank for the reform of the education system. The aim was to achieve bilingual education for all in Spanish and one or another of the Quechua, Aymara and Guarani languages. The policy of bilingualism aimed at preserving the languages in question and was designed to allow indigenous populations to speak their own languages. That was particularly important for young children.

44. As to television coverage, certain areas had no electricity although radios were commonly used. Educational programmes were broadcast by radio in the different regional languages and Bolivia had the largest number of radios per inhabitant in Latin America. In regard to film production, the National Cinema Council (CONACINE) promoted national films in accordance with available resources. An age classification system existed although there was no actual censorship in the sense of scenes being cut from films. Municipalities had been granted responsibility in the area of film classification. On the rights of authors, Bolivia was currently participating in a seminar on intellectual property and traditional knowledge and folklore at the World Intellectual Property Organization (WIPO). Policies had been introduced to protect the wealth of traditional knowledge and biodiversity.

45. As to health, traditional medicine was very important but its role had been curtailed since for curative purposes it was often insufficient; for example, problems existed in relation to the use of penicillin.

46. Educational reforms had been carried out at the beginning of the twentieth century and, more importantly, in 1952. In general terms, education was free and universal in that the whole of the population had access to it. In rural areas, teacher training colleges existed, although some teachers did not wish to return to their local communities to work since they had greater job opportunities in urban areas. Efforts had therefore been made to attract them back to their native villages to teach in their native languages. The provision of education encountered difficulties in the east of the country, forest areas and the poor highlands. In response to the request for figures on infrastructure, municipalities were responsible for maintaining and building schools, in part with the help of funding provided by the World Bank. As to the different types of punishment in cases of sexual exploitation of children, a scale of penalties was set out in relevant legislation. Specific educational programmes existed for adults in the form of "radio schools" which were important in the transmission of information. Literacy programmes existed for rural adult women, though not all such women were covered by them. All in all, education provision was a gender-related issue in that more males than females received tuition. Another problem was that children in rural areas were taken out of school to help on farms on a seasonal basis and returned to school only after the harvest had been completed.

47. Expanding on the subject of education and the low number of pupils obtaining qualifications, she said that Bolivia was more an agrarian than an industrial country and the requirement for professional qualifications was therefore low. Education was compulsory until the end of primary school. At university level there were equal numbers of male and female students. Students in State universities came mainly from very low-income backgrounds and did not have much previous education; courses were therefore given to bring them up to the right levels. The tradition of employing criaditos (indigenous children placed in well-off families) was covered by the recently enacted Children and Adolescent Code and was gradually declining. Such children formed part of the labour force, others did informal jobs such as shining shoes, though on a diminishing scale. Young women arriving from the countryside were still employed as domestic servants, but their numbers too were diminishing.

48. In regard to the right to food, it was true that nutritionally Bolivia was on a similar level to Honduras. There was a food problem, though it was not true that people were dying of hunger. Food intake was low in calories and rural populations were forced to sell what they produced to earn a living, thereby reducing their own food stocks. Problems of mental ill-health and tobacco smoking tended to be more serious in developed than developing countries for example, most people in Bolivia did not have the money to buy cigarettes. Child mortality rates were falling thanks to the introduction of mother-child feeding programmes. Finally, in regard to HIV/AIDS, there had been no significant increase in the number of cases from the 126 cited in 1996. Campaigns had been launched to raise awareness of the dangers of AIDS.

49. Mr. GRISSA asked how, if schooling was compulsory to age 12, the 300,000 working children aged 4-9, most of whom were in full employment, could attend school at the same time. From the report it would appear that some 900,000 children did not attend school. How could that figure be reconciled with the claim of full-time education?

50. Ms. BALLIVIAN DE ROMERO (Bolivia) said that free and compulsory education was a clear governmental policy. However, given the dearth of inspectors to ensure that the rule was obeyed in rural areas, the obligation lay with parents. Schools operated in three shifts, and some children attended night school, which was clearly compatible with full-time employment. Also, children sometimes enrolled and dropped out of school, which could account for the figure of 900,000.

51. Mr. CAMACHO (Bolivia) said that although the country still had a great deal of ground to cover, it had made enormous progress since 1992, the year of the last census. Recent figures, from UNICEF sources, showed a huge increase in the supply of drinking-water and sewerage services in both urban and rural areas: over US$ 100 million had been invested in the previous five years in providing basic services to villages under the water and sewerage programme, funded with a World Bank loan, in which the views and support of the various communities had been solicited and received, and the services had been provided according to the communities' needs. The most recent information from the international agencies showed that the annual infant mortality rate had fallen from 125 to 64 per 1,000 live births, attesting to the authorities' strenuous efforts to comply with the pertinent provisions of the Covenant, as pointed out in the World Health Organization's official reports.

52. On another subject, it was not housing, but high-quality housing, that Bolivia lacked. While there was no specific national housing improvement programme, the matter would be regulated by the town-planning and housing law currently under discussion. The Government was endeavouring to promote new human settlements through its National Housing Subsidy Programme, under which loans were made available to low-income families through the banking system in order to ensure total transparency of the transactions.

53. The housing problem had been further exacerbated by the 1998 earthquake, by the El Niño phenomenon, which had caused serious flooding, and by the fires to which areas such as Santa Cruz and Guayaros were prone. Faced with those disasters, the Ministry of Housing and Basic Services had reacted immediately and, with assistance from the Inter-American Development Bank (IDB), implemented a plan for building cheap housing with local labour and materials. Although the process had been protracted, nearly all the victims had eventually been housed. The IDB programme, intended to improve infrastructure in the main towns and to provide drinking water, roads, housing, electrification and basic sanitation services countrywide, had so far been translated into investments of US$ 60 million in the main municipalities. Basic services were high on the Government's list of priorities, and would account for the spending of US$ 400 million in the following five years with, as the authorities hoped, assistance from friendly Governments.

54. Like most countries, Bolivia was in the process of urbanization. The ratio of urban to rural population, which according to the National Statistical Institute had stood at 50:50 in 1992, was currently 60:40. For that reason, the Government was implementing a drinking-water and sewerage programme for medium-sized towns with the assistance of the German Technical Cooperation Agency (GTZ), as well as a newly negotiated programme with IDB for similar services to municipalities with fewer than 5,000 inhabitants.

55. The country's poverty reduction plan was being implemented in association with the "Paris Club" creditors, whose forthcoming meeting would be held in Bolivia in September. The country had been fiercely criticized during the first stage of the Heavily Indebted Poor Countries (HIPC) Initiative, assistance from which was contingent upon its investment in social programmes. In order to continue to benefit from that Initiative, the authorities had established "National Dialogue II", involving representatives of communities, municipalities and the Catholic Church, which had formulated a national compensation policy and determined the equitable allocation of resources. A proportion of the expected US$ 600,000 available would be allocated to the municipalities, not by the central Government, but by those involved in the dialogue. All that was indicative of a new model of participation of civil society and had won the support of the main international development agencies.

56. Bolivia had privatized its basic services, which were regulated by boards appointed by a three quarters majority in Congress to ensure that the laws relating to each service sector were enforced and to guarantee the legal security of investments. Public and private services were regulated by new legislation (Law No. 2066), which required further elaboration. Customers would be apprised of their rights and obligations in an effort to promote the sustainability of those services. With reference to Mr. Ceausu's remark about Bolivia's plethora of laws, while the political will was there, funds too were needed for education, socialization and for training in the enforcement of laws and regulations.

57. Ms. BALLIVIAN DE ROMERO (Bolivia), replying to a question concerning legislation on national parks, said that her country had one of the world's largest national parks, covering an area of 800,000 hectares, which appeared on the UNESCO World Natural Heritage List. She considered "fetish" a harsh word to use with regard to the perceived abundance of laws in Bolivia. It took time for the laws passed by Congress to be enforced, and increasing institutionalization called for a considerable amount of legislation.

58. The CHAIRPERSON said that the delegation had made an abundance of general statements, leaving many specific questions unanswered. Since it obviously did possess the relevant information, it would be helpful if the replies could be submitted to the Committee as soon as possible to enable it to draw up its concluding observations.

59. Mr. MARTYNOV said that according to information in his possession there were captive communities controlled by patrones (bosses) and working free of charge for ranch-owners and timber processors in what was perceived as a large-scale situation of virtual slavery. Could the delegation comment on the allegation and say how the problem was being addressed?

60. Ms. BALLIVIAN DE ROMERO (Bolivia) said she was amazed at the allegation, which she had never heard before. She would raise the matter with the authorities and inform the Committee accordingly.

61. Mr. MARCHÁN-ROMERO again asked whether civil society had been involved in the preparation of the State party's initial report. He also wished to know how the authorities intended to proceed upon receipt of the Committee's concluding observations.

62. Mr. GRISSA declared himself still dissatisfied with the reply to his question about street children and asked whether the reported 350,000 self-employed children referred to in the report included street children? What did they do? Were they shoeshine boys, car cleaners or cigarette vendors? And was there any incidence of prostitution among them?

63. Mr. PILLAY pointed out that whereas the delegation had said that the housing law had already been passed, one NGO had reported that it was still in the form of a draft law, that the political will to pass it was lacking, and that it in no way provided for low-cost housing for the needy.

64. Mr. CAMACHO (Bolivia) said that the report had been prepared by the various ministries and the heads of particular departments within those ministries. Bolivia was not yet in a position to involve an entire range of experts in its reporting procedures. He hoped that the country would have addressed all the concerns expressed by the Committee in time for submission of its second report.

65. He confirmed that a housing bill was currently before Congress. The Government's approach was to promote private initiatives for upgrading its housing stock. Where rent was concerned, a credit programme had been included in the bill under consideration, and the Government would subsidize low-income families in proportion to their resources. People should also be encouraged to save, rather than spend all their earnings on rent.

66. Ms. BALLIVIAN DE ROMERO (Bolivia) said that the Government shared Mr. Grissa's concerns about child labour. Although some children cleaned cars and sold cigarettes and sweets on the streets, many of them did attend school at night. Prostitution, a criminal offence in Bolivia, was covered in legislation on children's issues; those involved in the isolated cases discovered had been severely dealt with. Even the rich countries had not succeeded in eradicating prostitution completely.

67. Mr. GRISSA said he found it hard to understand how children could attend night classes in a country like Bolivia, which was short of electricity.

68. Ms. BALLIVIAN DE ROMERO (Bolivia) said that most children attending night classes worked in urban areas, where there was adequate electricity, there being little call in the countryside for their services. Although children in rural areas did work on farms as a preparation for later life, she had understood Mr. Grissa to be referring to town-dwellers. She was not implying that all urban street children attended school, but they were tough and aware of the importance of education for their self-improvement.

69. Mr. CEAUSU said that, as he had stated at the previous meeting, the distribution of agricultural property in Bolivia was extremely unfair. Information contained in the State party's initial report (para. 329) showed that 95 per cent of proprietors owned a mere 6.2 per cent of agricultural land, while a paltry 700 owned over 11 million hectares, nearly half the available total. After 40 long years of agrarian reform, valueless minifundios (smallholdings) still existed alongside highly profitable latifundios (large plantations). The delegation had earlier explained that the Government had endeavoured to combat the situation described in paragraph 324 of the report by weeding out the old bureaucracy. That meant, however, that there was neither continuity nor a professional public service. The latter was a basic requirement for any effective administration, in Bolivia as anywhere else.

70. He had used the word "fetish" in connection with the many laws Bolivia had adopted in order to make the point that laws did not suffice for human rights protection. More essential were people dedicated to ensuring that the laws were properly enforced and translated into concrete action. He hoped that in five years' time Bolivia would be able to show its legislation's tangible effects on the country's economy and the lives of its people.

71. Ms. BALLIVIAN DE ROMERO (Bolivia) said that peasants who had possessed large plots of land had transformed them into minifundios by dividing them up among their offspring. The 11 million hectares referred to were located in the Amazon region, which, although owned, consisted of dense, impenetrable forest.

72. Mr. CAMACHO (Bolivia) said that the Public Service Law had been enacted, but needed further improvement. He thanked the Committee for its useful comments and questions. The delegation would take due note of them and would shortly submit in writing the replies to unanswered questions.

The meeting rose at 1 p.m.